

Atty Docket: IDF 1239A (4000-04901)**Patent****REMARKS/ARGUMENTS*****Status of Claims***

Claims 1-20 and 34 are currently pending in this application.

Claim 1 has been amended.

Claims 35 and 36 are new.

Applicants hereby request further examination and reconsideration of the presently claimed application.

Claim Rejections – 35 USC § 103

Claims 1-9 and 11-20 stand rejected under 35 USC § 103(a) as being unpatentable over *Pfeffer* (U.S. Patent 6,128,293) in view of *Riemann* (U.S. Patent 6,735,208). Claim 10 stands rejected under 35 USC § 103(a) as being unpatentable over *Pfeffer* in view of *Riemann* and *Bender* (U.S. Published Patent Application 2003/0145119). Claims 2-20 and 34 depend on claim 1, thus claims 1-20 and 34 stand or fall on the application of *Pfeffer* and *Riemann* to claim 1.

The Applicants respectfully submit that *Pfeffer* and *Riemann* do not establish a *prima facie* case of obviousness as to the pending claims. According to MPEP § 2142, three basic criteria must be met to establish a *prima facie* case of obviousness:

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Similarly, the fact that the Examiner has the burden of proof with respect to the elements of the *prima facie* case of obviousness is also well defined in MPEP § 2142:

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The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

The Applicants respectfully submit that *Pfeffer* and *Riemann* do not teach or suggest each and every limitation set forth in the pending claims, and therefore do not make obvious the pending claims.

Pfeffer and *Riemann* fail to teach or suggest that the autonomous multi-services card contains a controller that acts independently of the processor in the host computer. The Examiner conceded that "*Pfeffer* fails to explicitly disclose a computer processing system operation without any control input from the central processor and to control the exchange of the data with the bus interface and with the network connection." See March 7, 2006 Office Action, paragraph 4. Instead, the Examiner relies on *Riemann* to teach this claim limitation, citing *Riemann's* Fig. 3 and col. 7, lines 40-65, specifically *Riemann's* control processor 38 in Fig. 3. However, in describing his control processor 38, *Riemann* states:

Control processor 38 is programmed to oversee the transmission and reception of ATM cells between ATM network switch 14 and client PC 18.

See *Riemann* col. 7, lines 37-39. A reasonable interpretation of the above statement is that *Riemann's* control processor communicates with the processor in the client PC to oversee the transmission and reception of the cells. This interpretation is supported by the double arrow 29 in *Riemann's* Fig. 3, which indicates that there is two-way communication between the control processor and the client PC. Generally, when a device such as *Riemann's* multi-port station module in Fig. 3 communicates with a computer, the communications are with the computer's processor. Because *Riemann* does not provide any teaching or suggestion to the contrary,

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Riemann's control processor communicates with the client PC's processor, and thus *Riemann's* control processor does not operate independent of the processor in the computer. In contrast, the claims have been amended to recite the limitation that the multi-services card controller operates independently of the host processor, a limitation that is not taught or suggested by *Pfeffer* or *Riemann*. Consequently, *Pfeffer* and *Riemann* fail to teach or suggest all of the limitations of the claims and thus do not make obvious the present claims.

*Atty Docket: IDF 1239A (4000-04901)**Patent***CONCLUSION**

Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicants. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Final Office Action dated March 7, 2006 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account No. 21-0765, Sprint. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

Date: 5/22/06

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